

1 MORGAN, LEWIS & BOCKIUS LLP  
2 Anne M. Brafford, Bar No. 237574  
3 abrafford@morganlewis.com  
4 Michelle Stocker, Bar No. 259914  
5 mstocker@morganlewis.com  
6 5 Park Plaza, Suite 1750  
7 Irvine, CA 92614  
8 Tel: 949.399.7000  
9 Fax: 949.399.7001

10 Attorneys for Defendants  
11 CBS BROADCASTING INC., CBS  
12 CORPORATION, and ROBERT NIÑO

13 UNITED STATES DISTRICT COURT  
14 CENTRAL DISTRICT OF CALIFORNIA

15 NANCY LONDON,

16 Plaintiff,

17 vs.

18 CBS; CBS BROADCASTING INC.;  
19 CBS TELEVISION; KCAL LLC;  
20 KCBS TV; ROBERT NINO; and  
21 DOES 1-100,

22 Defendants.

CV 12 - 06605 GAF (FMOx)

DECLARATION OF MICHELLE  
STOCKER IN SUPPORT OF  
DEFENDANT CBS CORPORATION'S  
NOTICE OF REMOVAL TO THE  
UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF  
CALIFORNIA

FILED  
2012 JUL 31 PM 2:50  
CLERK U.S. DISTRICT COURT  
CENTRAL DIST. OF CALIF.  
SANTA ANA

**DECLARATION OF MICHELLE STOCKER**

I, Michelle Stocker, hereby declare as follows:

1. I am an attorney at the law firm of Morgan, Lewis & Bockius LLP, attorneys of record for Defendant CBS Corporation ("CBS") in the above-captioned action. I am licensed to practice law in California and am admitted to practice law before this Court. I submit this declaration in support of CBS's removal to the United States District Court for the Central District of California. I have direct and personal knowledge of the facts set forth in my Declaration and, if called and sworn as a witness, I would competently testify to these facts.

2. On April 13, 2012, CBS Broadcasting Inc. and Robert Niño (the only correctly-named defendants in Plaintiff's Complaint) filed Demurrers to Plaintiff's Complaint in Superior Court. As of the date of this Declaration, the Superior Court has not yet heard the Demurrers.

3. On July 2, 2012, Plaintiff's counsel emailed me and attached copies of a Notice and Acknowledgement of Receipt for CBS Corporation and CBS Television Services, Inc. I signed the Notices and Acknowledgements of Receipt the same day and emailed them back to Plaintiff's counsel.

4. My firm represents CBS Corporation, CBS Broadcasting Inc. and Individual Defendant Robert Niño. CBS Broadcasting Inc. and Robert Niño consent to CBS Corporation's removal of this action to federal court.

5. Attached hereto as **Exhibit A** is a true and correct copy of an email that Plaintiff's counsel Gary Ross sent to CBS' Assistant General Counsel Randa Soudah on September 30, 2011 regarding potential settlement of this case. Privileged information has been redacted.

1 I declare under penalty of perjury under the laws of the State of California  
2 and the United States that the foregoing is true and correct.

3 Executed this 31st day of July, 2012, at Irvine, California.

4   
5 \_\_\_\_\_  
6 Michelle Stocker  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

# **EXHIBIT A**

Redacted

**From:** Gary Ross [mailto:ross@rossandmorrison.com]  
**Sent:** Friday, September 30, 2011 3:23 PM  
**To:** Soudah, Randa  
**Cc:** morrison@rossandmorrison.com  
**Subject:** Nancy London / CBS etc., et al. [SETTLEMENT COMMUNICATION PER CAL. EVID. CODE §§ 1152, ET SEQ.]

[SETTLEMENT COMMUNICATION PER CAL. EVID. CODE §§ 1152, ET SEQ.]

Dear Randa:

This is a settlement communication, further to our recent correspondence and communications.

Given our client's age, race, gender, 34 year employment history, her record of good work and awards, her complaints and reports of harassment, her high level of compensation, among other factors, there are myriad facts and issues, supporting claims for wrongful termination; discrimination; harassment; retaliation; failure to investigate; etc. (see attached DFEH complaint). As a consequence, we consider this to be an extremely valuable case.

Reserving all rights, and subject to execution of appropriate long form settlement document(s), Ms. London is prepared to fully release CBS, and all related persons, parties, defendants, entities, in exchange for a single lump sum payment of \$450,000, without withholdings, paid to "Ross & Morrison Client Trust Fund Account," IRS Form 1099. Given our views, valuations and impressions, we think that this proposal is a meaningful effort to resolve the matter at this time, without protracted litigation. CBS is advised that, if the matter does not resolve now, and litigation is necessary, any settlement proposal, if any, will increase to reflect our trial valuations.

This is a settlement communication, pursuant to Cal. Evid. Code 1152, §§ et seq., the contents of which may be withdrawn at any time, and which are inadmissible in court, in any proceeding, or for any purpose whatsoever.

10/3/2011

We look forward to CBS' prompt response.

Thank you.

Gary Ross

attachment: DFEH Complaint

**Gary B. Ross | Ross & Morrison**  
**315 S. Beverly Drive, Suite 410, Beverly Hills, CA 90212**  
**t 310.285.0391 | f 310.285.6083 | e [ross@rossandmorrison.com](mailto:ross@rossandmorrison.com)**

10/3/2011